

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

ELIZABETH CAROLLO, ET AL.	:	
	:	
Plaintiffs,	:	
	:	Civil Action: _____
Vs.	:	
	:	
FEDERAL DEBT ASSISTANCE ASSOCIATION, LLC, ET AL.	:	
	:	
Defendants.	:	

NOTICE OF REMOVAL

Defendant, Federal Debt Assistance Association, LLC, (“FDAA”), by and through undersigned counsel, hereby provides notice pursuant to 28 U.S.C. §§ 1441 and 1446 of the removal of the above-captioned case from the Circuit Court for Baltimore County to the United States District Court for the District of Maryland. As grounds for removal, the Defendant states as follows:

Background

1. On or about March 30, 2017, Plaintiffs Elizabeth Carollo, Russell Sutton, and Michael William Johnson (collectively “Plaintiffs”) filed a Complaint in the Circuit Court of Maryland for Baltimore County (the “Complaint”).

2. Plaintiffs’ Complaint alleges causes of action under, *inter alia*, the Fair Labor Standards Act (“FLSA”) 29 U.S.C. § 201, *et seq.*

Federal Question Jurisdiction

3. This Court has original jurisdiction under 28 U.S.C. § 1331 as Plaintiffs allege violations of a claim or right arising under the laws of the United States.

4. Specifically, the Plaintiffs allege violations of the FLSA, 29 U.S.C. § 201, *et seq.*
5. Therefore, this action is subject to removal pursuant to 28 U.S.C. §§ 1331 and 1441 at the request of FDAA because Plaintiffs' claims arise under the laws of the United States.

Venue

6. Under 28 U.S.C. § 1441(a), the United States District Court for the District of Maryland is the proper venue for removal because this suit is pending in the Circuit Court for Baltimore County, Maryland.

Procedural Compliance

7. Removal of this action is timely. 28 U.S.C. § 1446(b) provides that, “[t]he notice of removal of a civil action or proceeding shall be filed within thirty days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based[.]” This Notice of Removal is being filed with the United States District Court for the District of Maryland within thirty (30) days after Defendant first received notice of the filing of the Complaint.

8. Pursuant to Local Rule 103(5)(a), Defendant FDAA shall, within thirty (30) days of the filing of this Notice, file with the Court all other process, pleadings, papers, and orders then on file in the Circuit Court for Baltimore County or otherwise served upon Defendants and/or their counsel.

9. FDAA is serving contemporaneously with this filing a copy of the Notice of Removal upon Plaintiffs. FDAA will also file with the Clerk of the Circuit Court for Baltimore County, Maryland a Notice of Filing of Notice of Removal, as required by 28 U.S.C. § 1446(d).

10. Counsel for FDAA has conferred with all Defendants and all have consented to removal.

11. By filing a Notice of Removal in this matter, FDAA does not waive its right to object to service of process, the sufficiency of process, personal jurisdiction, or venue. No admission of fact, law, or liability is intended by this Notice, and FDAA specifically reserves the right to assert any defenses and/or objections to which they may be entitled.

12. Based upon the foregoing, this Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1331, and this action is properly removed to this Court.

WHEREFORE, Defendant, Federal Debt Assistance Association, LLC, hereby gives notice that the above-captioned action, currently pending in the Circuit Court of Maryland in and for Baltimore County, is hereby removed to this Court.

Respectfully Submitted,

Dated: May 3, 2017

/s/

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Counsel for Defendant Federal Debt Assistance Association, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of May, 2017, I caused a true and correct copy of the foregoing Notice of Removal to be delivered via first-class mail, postage prepaid, upon the following:

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